

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. 99-371)

PATENT

In re Application of: Thomason et al. )  
Serial No.: 09/391,861 ) Before the Examiner: D. Nguyen  
Filed: September 7, 1999 ) Group Art Unit: 1632  
For: Fibroblast Growth Factor-Like )  
Polypeptides )

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

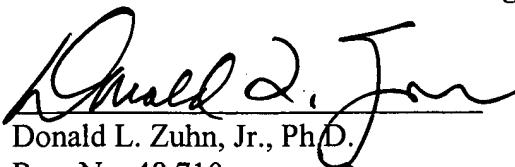
**NOTICE OF APPEAL**

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the second rejection in the Official Action mailed October 6, 2004 of claims 1-5, 7-13, 39, and 41-43 pending in the above-identified patent application.

The Commissioner is authorized to charge \$500.00 for filing a Notice of Appeal under 37 C.F.R. § 1.191(a), pursuant to 37 C.F.R. § 1.41.20(b)(1), to Deposit Account No. 13-2490. If Examiner Nguyen believes it to be helpful, he is invited to contact the undersigned representative by telephone at 312-913-0001.

Respectfully submitted,  
**McDonnell Boehnen Hulbert & Berghoff**

By:

  
Donald L. Zuhn, Jr., Ph.D.  
Reg. No. 48,710

Dated: April 6, 2005

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